

# **Public Campaign Financing-Judiciary**

Independent Commission on Judicial Reform

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## Major Public Funding Sources

- General Revenue Appropriations
- Income Tax Check-Off Programs
- Attorney Assessments
- Appeal & Petitions Fees
- Other Dedicated Taxes/Fees

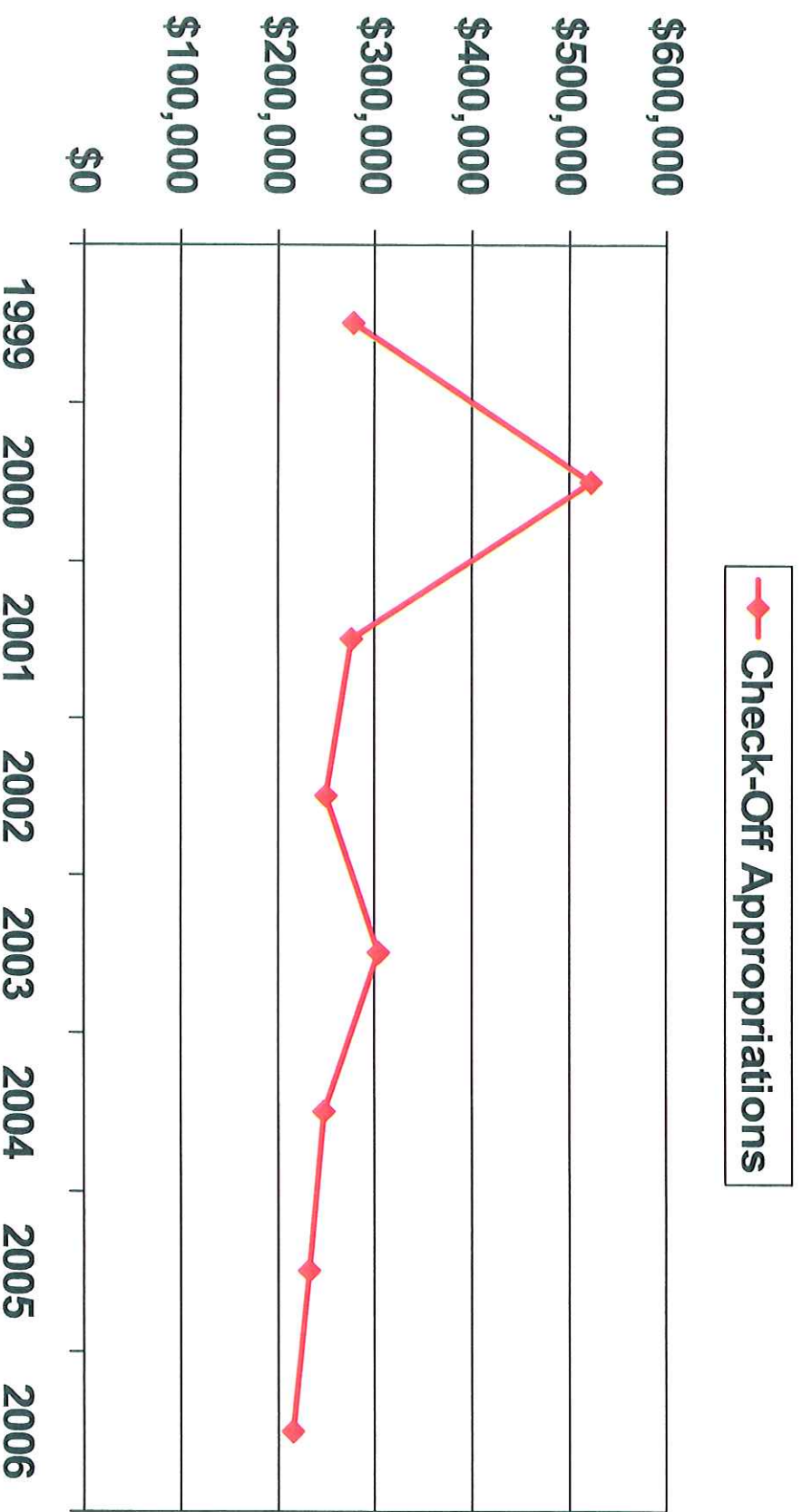
# Voluntary Check-Off Programs

Not All Are Created Equal

- Contribution by Taxpayer: Minimal
  - Com. Sub. SB311: \$6,000 [ $< \$0.05$  million]
- General Fund Appropriation by Taxpayer
  - Federal Model – No Impact on Tax Liability [\$0.2 million]
    - Maine: \$3-\$6 -  $< 10\%$  participation
    - NC: \$3-\$6 –  $10\%$  of filers:  $6\%$  of filers - Judicial
    - SB311: \$1,000-\$2,000 [\$60 million]
  - State Model–AZ Tax Reduction: [\$1.0 million to \$1.5 million]
    - \$5-\$10:  $30\%$  participation–reduces tax liability–doubles cost
    - Additional Clean Elections Tax Credit -  $1\%$  participation
    - Voluntary Check-Off Taxpayer Contribution no limits

# Maine Clean Election Fund History

Source: 2007 Report on the Maine Clean Election Act



# Attorney Assessment Fees

Committee Substitute for Senate Bill 311

- More stable source than check-offs
- State Bar Assessment in Com Sub SB311
  - \$75 for attorneys with > 3 years experience
  - \$50 for attorneys with 1-3 years experience
  - \$65 for attorneys on inactive status
- 4,426 WV Attorneys in 2005
- Fee revenue of \$300,000-\$350,000/year



# Appeal & Petition Fees

Committee Substitute for Senate Bill 311

- Revenue Source Somewhat Volatile
- Appeal & Petition Fee in Com Sub SB311
  - Fee for many Civil Cases filed with
    - Supreme Court – 400 @ \$100 = \$40,000
    - Circuit Courts – 18,000 @ \$20 = \$360,000
    - Circuit Court Class Action Lawsuits - # parties @ \$20
    - Family Court Divorce – 10,000 x 2 @ \$20 = \$400,000
    - Magistrate Court – 40,000 @ \$10 = \$400,000
- \$1 million or more per year possible

# Revenue Conclusions for West Virginia

Estimates in \$ Millions

<u>Possible Revenue Sources:</u>	<u>CS SB311</u>
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- |                           |         |
|---------------------------|---------|
| • Appeal & Petition Fees: | \$1.0   |
| • Lawyer Fees (\$75):     | \$0.3   |
| • Check-off in CS SB311:  | Minimal |

<u>General Revenue Sources:</u>
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- |                                 |           |
|---------------------------------|-----------|
| • Check-Off Tax Credits (AZ):   | \$1.0-1.5 |
| • Check-Off Appropriation (NC): | \$0.2     |
| • Other Dedicated Taxes/Fees:   | ???       |